

1 RICHARD DRURY (SBN 163559)

2 LOZEAU | DRURY LLP

3 410 12th Street, Suite 250

4 Oakland, California 94607

5 Tel: (510) 836-4200

6 Fax: (510) 836-4205

7 Attorney for Plaintiff

8 ENVIRONMENTAL RESEARCH CENTER

9 MONTY AGARWAL (SBN 191568)

10 ARNOLD & PORTER LLP

11 Three Embarcadero Center, 10th Floor

12 San Francisco, CA 94111

13 Telephone: (415) 471-3274

14 Facsimile: (415) 471-4700

15 Attorney for Defendant

16 AMERICAN BOTANICAL PHARMACY, INC.

11 SUPERIOR COURT OF CALIFORNIA

12 COUNTY OF ALAMEDA

13 ENVIRONMENTAL RESEARCH
14 CENTER, a California non-profit
15 corporation,

16 Plaintiff,

17 vs.

18 AMERICAN BOTANICAL
19 PHARMACY, INC.

20 Defendant,

Case No.:

Judge:

AMENDMENT NO. 1 TO [PROPOSED]
STIPULATED CONSENT JUDGMENT

AMENDMENT NO. 1

The second sentence of Section 4.1 of the [Proposed] Stipulated Consent Judgment is modified and hereby amend to read as follows:

"ABP shall make one-half of the Payment 10 days after the Effective Date and the remaining one-half on or before 40 days after the Effective Date."

IT IS SO AGREED:

ENVIRONMENTAL RESEARCH CENTER


Chris Hopfinstall, Executive Director

Dated: 2/6/2014

AMERICAN BOTANICAL PHARMACY, INC.


Current CEO or President

Dated: 2/10/14